

Court-Appointed Temporary Receiver for Link Motion Inc.
Pursuant to The Honorable Judge Victor Marrero of the
United States District Court, Southern District of New York

Robert W. Seiden

322 Eighth Avenue Suite 1704 New York, NY 10001 (212) 523 – 0686 rseiden@seidenlawgroup.com

VIA ECF

Hon. Victor Marrero
United States Courthouse
500 Pearl Street
New York, New York 10007

January 12, 2023

Re: *Baliga, et al. v. Link Motion Inc., et al.*, 1:18-cv-11642-VM-VF (S.D.N.Y.)

Dear Judge Marrero,

I write regarding Your Honor’s January 12, 2023 order (the “Deposit Order”; ECF 384) requiring Link Motion Inc. (“LKM”) to “ensure that the “Receivership Account [] maintains a minimum balance of \$100,000.00” and that LKM “immediately transfer sufficient funds to the Receivership Account to allow the Receiver to timely pay the Maples Invoice.”¹ Deposit Order at 1. As the Court recognized, the Maples Invoice “need[s] to be paid by January 31, 2023, for LKM to remain in good standing under Cayman Islands’ law [].” *Id.* at 3.

As I previously communicated to the Court, although this Court placed LKM into receivership, Defendant Vincent Shi (“Shi”) has frustrated the Receivership at every turn, including diverting tens of millions of dollars from LKM’s bank accounts (ECF 30, at ¶¶ 3-10; ECF 50, at ¶ 3; ECF 239-1, at ¶¶ 8-9; ECF 239-6; *see also* ECF 161; and ECF 173). As a result of Shi’s actions, the Receiver lacks access to any LKM funds and thus cannot cause LKM to replenish the Receivership Account with a minimum of \$100,000 or pay \$3,219.51 to Maples as the Court ordered.

For the reasons discussed in the Receiver’s accounting brief, Shi should be held personally liable for all unfunded liabilities of the Receivership (ECF 375, at 16-20). This should now also include LKM’s \$100,000 liability to the Receivership and the \$3,219.51 balance in the Maples Invoice. Further, in order to preserve the status quo (including keeping LKM in good standing) pending a hearing on Shi’s personal liability for the unfunded liabilities of the Receivership, the Court should order Shi to deposit \$103,219.51 with the Receiver in order to facilitate payment to Maples and fund the \$100,000 minimum balance in the Receivership Account.

Please do not hesitate to contact me if your Honor wishes to discuss this matter in further detail.



Robert W. Seiden, Esq.
Court-Appointed Temporary Receiver
for Link Motion Inc.

cc: All Parties (via ECF)

¹ The term “Maples Invoice” refers to the invoice in the amount of \$3,219.51 issued by Maples and Calder Services (Europe) Limited, which is LKM’s registered agent in the Cayman Islands. *See* ECF 382.